

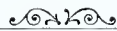


Labor Laws in VICTORIA, AUSTRALIA.



C.G. SMITH

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INTRODUCTION.

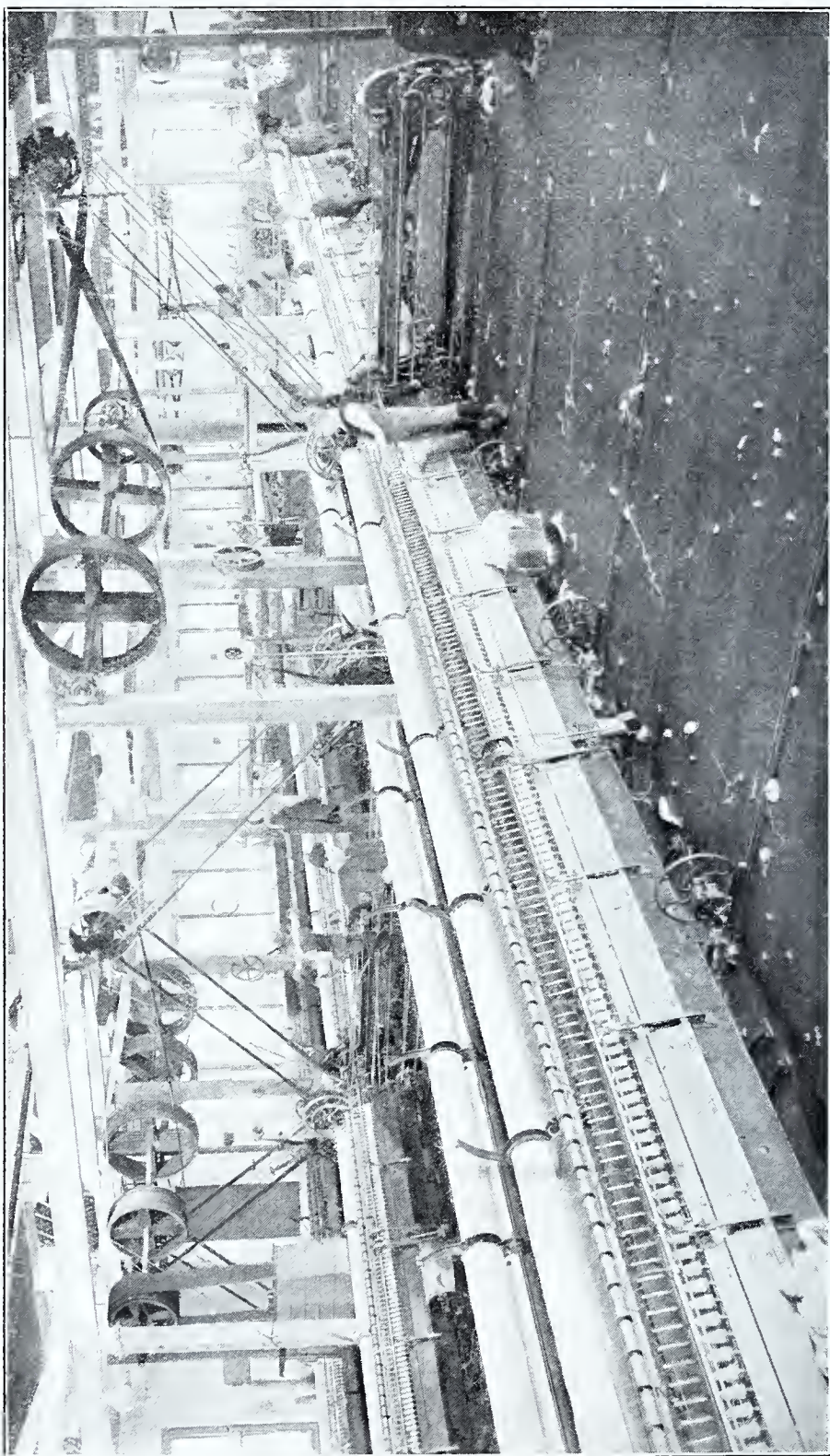
The State of Victoria is situated at the South-eastern extremity of the mainland of the Commonwealth of Australia. Its length and breadth are 420 miles and 250 miles respectively, making an area 87,884 square miles (56,245,760 acres), which is about equal in size to Great Britain.

Victoria is the most thickly settled of all the Australian States, yet it has only a population of 1,390,381 people, or about 15 persons to the square mile, and consequently has room for a much larger population. It is purely a white man's country, the aboriginal and Chinese population totalling only 7,800 souls. The Immigration Restriction Act is rigidly enforced by the Commonwealth Government, but there is no restriction on European, Canadian, or American people of white race. They are readily assimilated with the general population, and find themselves, as it were, "at home," and experience no difficulty in adapting themselves to Victorian conditions. All new arrivals are accorded the same treatment and granted the same concessions as are available to native-born Victorians.

The Victorian Climate is bright and genial, and resembles that of California and Southern Europe. The rainfall varies in different parts, the general average for 55 years being 25·63 inches per annum. The mean temperatures are 49·9 degrees in winter and 66·4 degrees in summer (Fahrenheit). Seasons pass from one to the other with little perceptible change, and open-air work can be carried on all the year round without inconvenience. Nature is kind to the producer on the land. The growing period for cereals, fruit, and root crops, &c., extends from January to December, and to develop fully the latent resources of the land in Victoria a large increase of population is necessary throughout the whole of the rural districts.

Melbourne, the capital of Victoria, has steadily developed, and a few remarks on its phenomenal growth may here prove interesting. In 1836, the population numbered 142 males and 35 females, and 13 buildings were in existence. In 1837, Melbourne was surveyed and sold in half-acre allotments. At the first sale the allotments realized an average price of \$168 each, and at the second sale \$201 each. In this year the population increased to 800 souls. Matters progressed steadily in the new settlement until 1851, when the number reached a total of 77,000 souls.

Melbourne to-day is the eighth city in the British Empire, and has a population of 650,000. The streets of the city proper aggregate over 100 miles in length; they run at right angles, are 99 feet wide, and are paved with wooden blocks. Electricity is generally used for lighting and power purposes. The public and private buildings are palatial in character, and compare favorably in architecture with those in any other city in the world. At the present time, Melbourne is the seat of Government for the Commonwealth of Australia, as well as for the State of Victoria. **It is also one of the leading manufacturing and distributing centres of the Commonwealth**—its geographical position naturally adapting it for these purposes, as it is the midway point between the various other States.



A Victorian Woollen Mill.

Labor Laws in Victoria

(AUSTRALIA).

By H. M. Murphy, Chief Inspector of Factories.

INAUGURATION OF FACTORY LEGISLATION.

In the year 1873, the Victorian Government recognised that the factory worker needed to be safeguarded, and the necessity for this led to a "Factory Act" being passed, which definitely fixed the hours of female labor, and what constituted a factory. Under the legislation then passed, eight hours per day was the maximum time females were allowed to work, and any one premises wherein ten persons were employed was termed a factory within the meaning of the Act.

Since the passing of the original Act, legislation has been passed from time to time which has provided for the registration of factories, and has also made provision regarding their sanitation, fire-escapes, guarding of machinery, and the regulation of the hours and conditions of work, and also for the closing of shops at fixed hours.

To-day, as regards wages, personal safety, health, and moral surroundings, the factory worker is better looked after in Victoria than in any other country in the world. Government inspectors prosecute employers wherever underpayment for services rendered is proved, or for any other breach of the provisions of the factories' laws. No one can occupy a factory unless the place is properly lighted and ventilated, has all machinery properly fenced and guarded, and has complete sanitary arrangements for both sexes.

The closing of shops has also been carefully regulated. With few exceptions, such as chemists, and those where food is sold, they close at the hour of 6 o'clock in the evening on four days a week, at 10 p.m. on one day a week (usually Friday), and at 1 p.m. on one day of each week. Where Friday is the late night, Saturday is generally the half-holiday, and this has recently become general throughout Victoria, and is in itself a boon of very great value.

WAGES BOARDS.

The Wages Board system of fixing wages and settling the conditions of employment had its origin in Victoria. It was introduced into an Act of Parliament by Sir Alexander Peacock, the present Minister of Labor, in 1895, and the idea, it is said, was suggested to him when a dispute as to wages occurred between miners and mine-owners in his constituency. The employers and the miners met together, and, sitting upon a heap of mullock at the mine, discussed the aspects of their dispute, and, as a result, came to an understanding which enabled work to be immediately resumed.

The Minister at that time had probably no idea of the merit of his discovery, nor could he have had any foresight of the extent of its application in the near future. It has now come to be regarded pretty generally as the most nearly perfect system of fixing fair wages and conditions that has yet been devised.

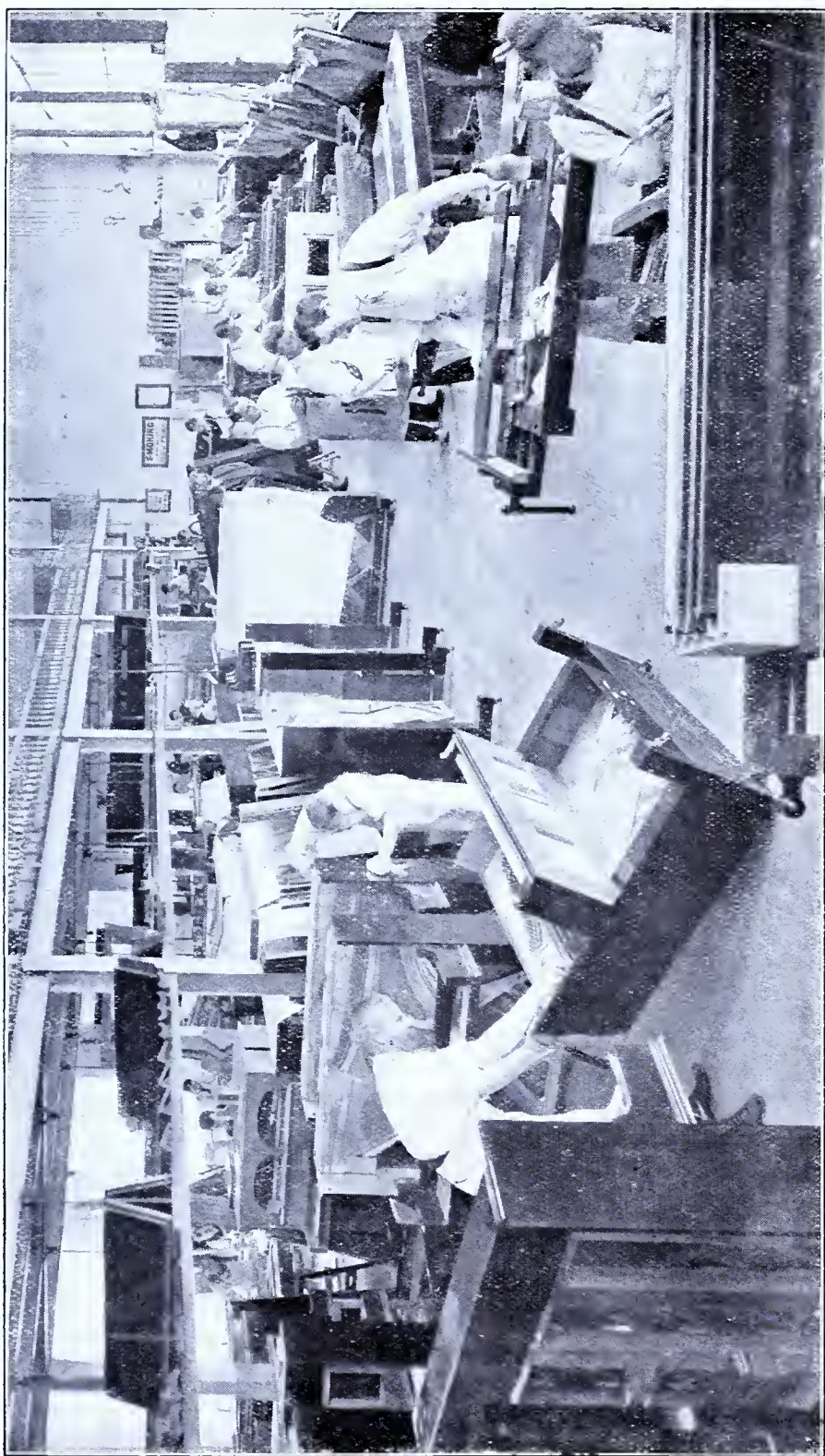
The principle embodied in the British jury system that a man can only be tried by his peers is the essence of the Victorian Wages Board scheme. The Boards are composed of equal numbers of employers and employés, usually either three or five from each side. The representatives are carefully chosen, so that every shade of interest in the trade shall be represented as fully as possible on the Board. The Board thus becomes a jury of trade experts, all of whom are versed in the requirements and intricacies of the trade they are dealing with.

At their first meeting the members appoint a neutral Chairman, whose duty it is to conduct the proceedings, and who only votes when the parties are equally divided. The Board has the widest field of selection, and can appoint whomsoever it chooses. Experience shows that the men who most frequently make good Chairmen are the Police Magistrates; but there are many most excellent Chairmen who have never had any experience of conducting a court. As a rule, the Chairman knows little or nothing about the trade being dealt with, and it is better that it should be so, in order that he may come to the meetings with an open mind, and be uninfluenced by the interests of either employers or workers.

The members of the Board meet on equal terms, and discuss with the utmost freedom the whole of the aspects of the matter they are dealing with. It was at first thought that employés would be at a disadvantage in the presence of employers; experience shows that this is not so, but that they express their ideas and put their arguments with the greatest confidence. In most cases it is found that the employés are quite as competent to put their case in its best light as are the employers. Not infrequently the honours of the debate are distinctly with the men. Where the representatives of the employés are women, an exception must be made. They have in some cases been found quite unequal to the task of properly enforcing their just rights in face of their employers.

An application for a Board in any trade which has not been brought under the Wages Board system can be made either by a Union or a meeting of employés. Upon receipt of such an application the Minister usually orders the collection of figures to show the rates of wages, the average number of hours worked, the number of persons employed in the trade, and so on. If he finds that there is good reason, he introduces into Parliament a Resolution which invariably is passed, and a Wages Board is formed.

The Wages Board, having been constituted, meets as often as it chooses, usually once a week, at the Factories Office. An officer of the Factories Department acts as secretary. The members of the Board are paid 10s. a sitting, with the addition of necessary out-of-pocket expenses. The Chairman receives £1 per sitting. A complete Determination is usually reached in about three months' time. Although it is true that some Boards have taken



Piano Manufacture in Victoria.

nearly two years, it is also true that others have taken much less than three months over this work. The Slaters and Tilers Board took only three meetings to make a Determination, the Factory Engine-drivers Board five meetings, the Country Shop Assistants Board six meetings, the Brewers Board seven meetings, the Boot Dealers Board eight meetings, the Quarry Board eight meetings, and the Country Saddlery Board nine meetings.

The Determination having been completed by the Board, it is sent to the Minister of Labor and gazetted, and thereupon becomes law. It is then the duty of the officers of the Factories Department to enforce it. Inspectors visit all places where persons are employed under it, and report cases of underpayment. Where the Minister considers that the breach of the law is trivial, or has occurred through a mistake, he administers a warning ; in more serious cases he orders a prosecution. The prosecutions are carried out by the officers of the Factories Department, without expense to the worker. The Victorian system is different from many others in this respect. In some States, officers of the Trades Unions are empowered to prosecute for breaches of the law. This is not so in Victoria. All prosecutions are conducted by the State, but it is open to any worker who chooses to do so to sue in a civil court for wages due to him.

A cardinal principle of the Victorian law is that Trades Unions are neither recognised nor ignored. A body of 1,000 men will receive the same treatment whether they have formed themselves into a Union or not. As a matter of fact, most trades have formed Unions, and the State Department deals with them as representing the number of units which correspond to the number of their members.

Another cardinal principle is that the Victorian system takes no cognizance whatever of strikes. The system provides the fullest means to the workers of assuring themselves a fair living wage. It furthermore provides that conditions can be adjusted as occasion arises at any time without any expense to the worker. In that connexion a Wages Board meets whenever required—and, whenever the evidence shows the necessity therefor, alters its Determination to suit the need of the moment. It will be seen, therefore, that under the Victorian system there is no justification for a strike and no need for it. Having provided all these means for making strikes unnecessary, the Victorian system is inoperative if the workers should have recourse to a strike.

A point of special merit in the Victorian system is that Wages Boards cost nothing to either employer or employé. This is one of the most economical systems in Australia.

The Factories and Shops law contains the most elastic provisions for enabling the Minister to deal with Boards, by grouping them under one Board or dividing them into two or more, as experience of their operation shows to be desirable. He can decide the localities over which each Board's Determination shall run. In some cases a Determination covers the whole State, in others cities and towns, and in others again country districts only.



Boot Manufacture in Victoria.

The number of Wages Boards either formed or in process of formation in Victoria is 135. The number of workers affected or to be affected by these Boards is approximately 155,000.

The total increase in wages paid to workers in Victoria, under Wages Boards Determinations, over and above what would have been received by them if their original wages (paid before the respective Determinations) had remained unaltered was as follows :—

At the end of	1909	..	..	..	..	\$16,540,800
„	1910	..	..	..	..	\$21,345,600
„	1911	..	..	..	..	\$30,220,800
„	1913	..	..	..	..	\$55,929,600

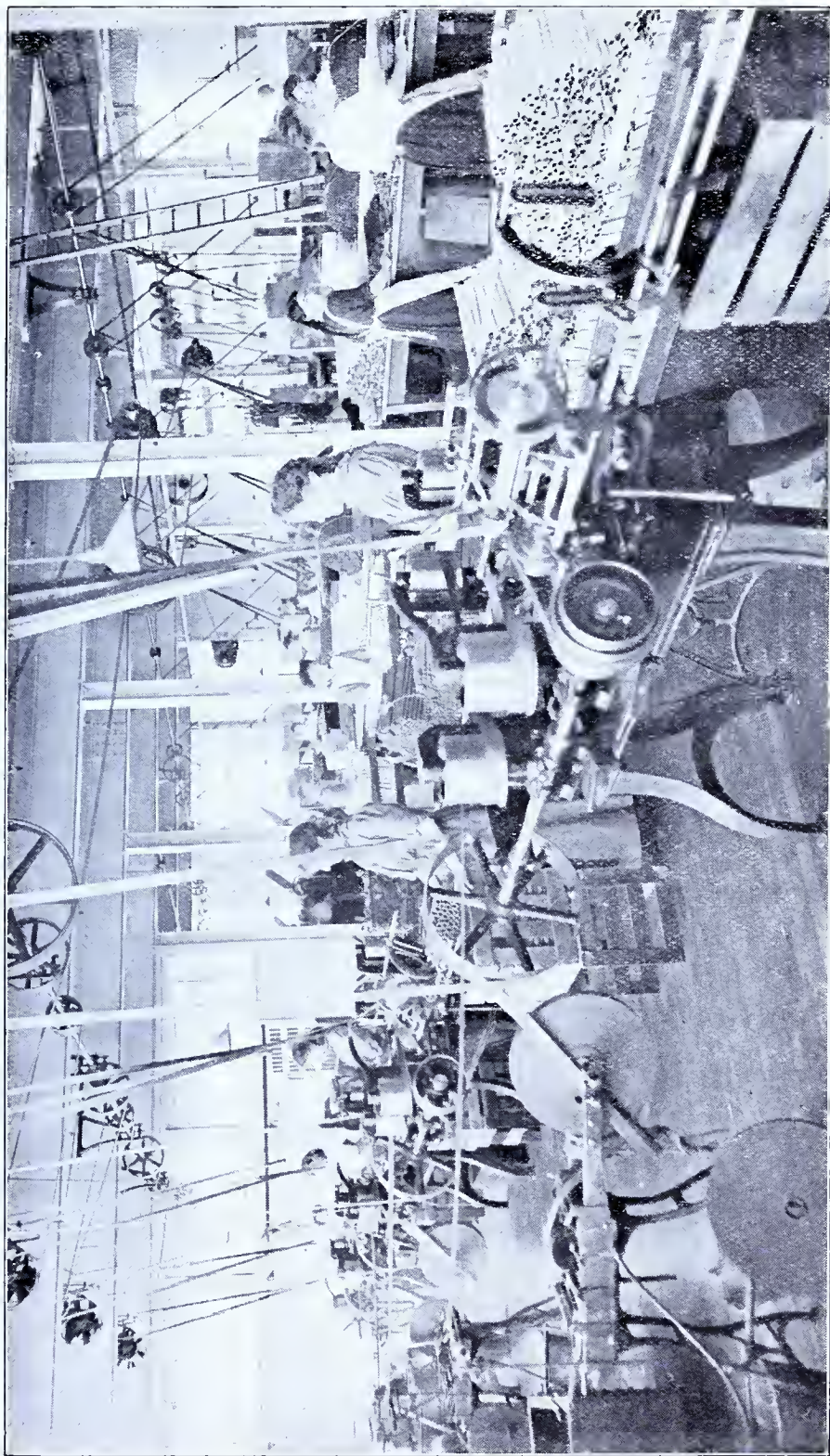
The cost of administration of labor laws in Victoria was as follows :—

Year ended 30th June,	1910	..	..	..	\$32,140·80
„	„	1911	..	..	\$57,676·80
„	„	1912	..	..	\$74,136·00
„	„	1913	..	..	\$102,628·80

If either employers or workers are dissatisfied with the provisions of a Determination, they can appeal to the Court of Industrial Appeals (the constitution of which is a Supreme Court Judge, a representative of employers and a representative of employés), which then has full power to alter any part of the Determination.

In order to prevent the dismissal of any person who is unable to come up to the standard which must follow the fixing of a wage, there is a provision for issuing a licence to any person who, through age, infirmity, or natural slowness, is defective.

A very important visitor to Victoria in 1912 was Professor Matthew B. Hammond, Professor of Economics at the University of Columbus, Ohio. He spent three months studying the Victorian law and its working. He looked into every aspect of the case, the debates in Parliament, the law, the administration, and its general effect, visited factories, and attended many Wages Boards' meetings. Before leaving the State he expressed himself as being more impressed by the educative influence than by any other aspect of Wages Boards. He was struck by the fact that employer and worker met on equal terms, where each in the course of discussion grew to a better understanding of the difficulties that had to be contended with by the other, and to a better realization of the rights of the other side. He considers that this meeting on common ground has done more than anything else to smooth away difficulties, and that it accounts for the success of the law. In that connexion he noted the different position of parties in a Court of Conciliation and Arbitration, where they are at issue, and where the whole responsibility of decision lies in a Judge, who knows nothing about the trade he is dealing with, and can only obtain his knowledge at second-hand through the medium of sworn evidence, and who furthermore is necessarily remote from the questions at issue by reason of his training and environment. Professor Hammond's conclusions, which have since been printed in different reports he has made in America, are all in favour of the Wages Boards as against the Court method of fixing wages and conditions.



A Victorian Match Factory.

SHOPS.

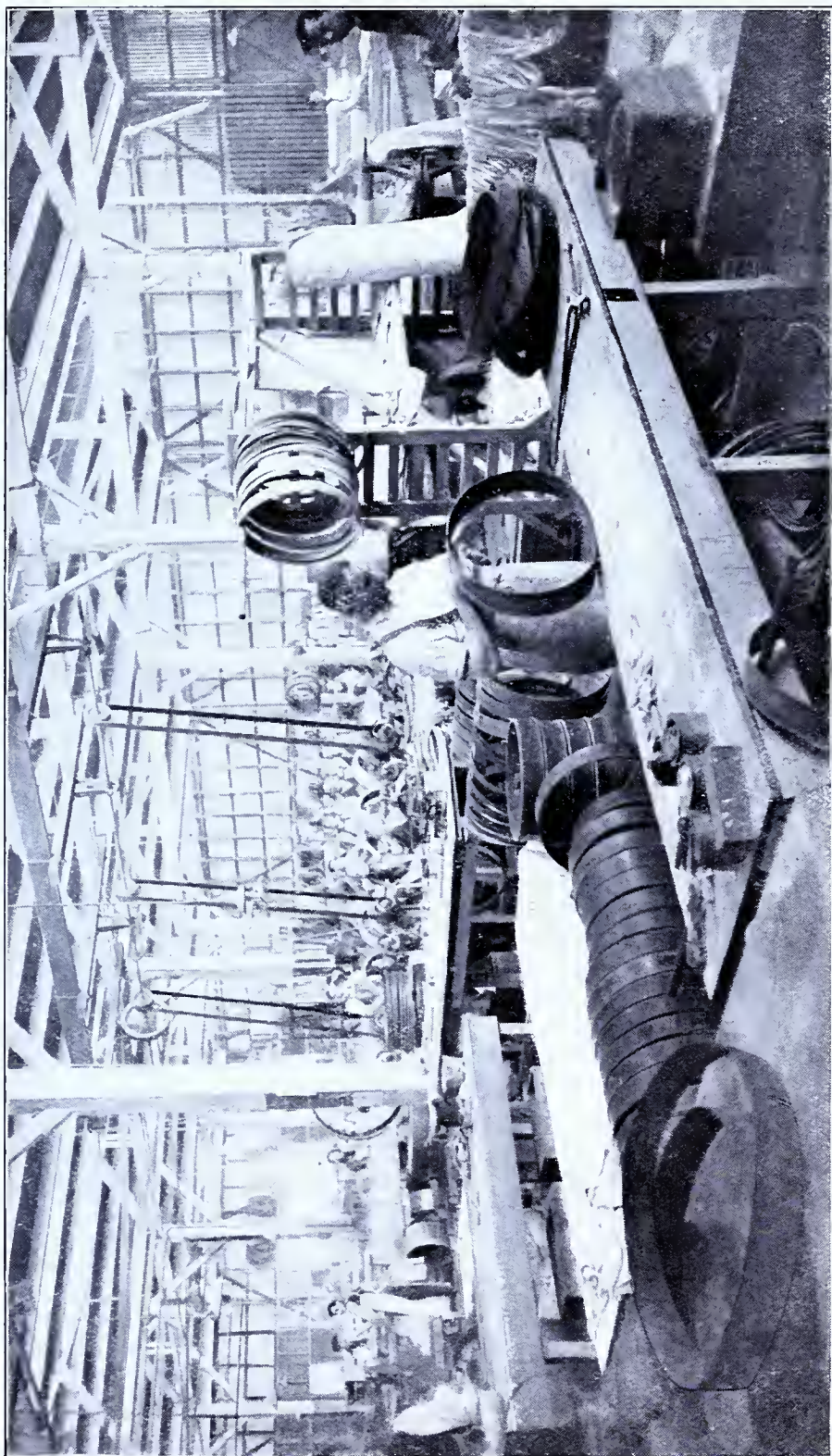
The hours of closing shops are regulated by the Factories law. In this connexion, shops are divided into two broad classes—Fourth Schedule shops, and all others. The Fourth Schedule comprises such as chemists' shops, eating-houses, confectioners', fish and oyster shops, fruit shops, restaurants, tobacconists', booksellers', and cooked meat shops, which it is considered should be open almost continuously. These Fourth Schedule shops are allowed to remain open as long as the occupiers please, except in cases where a majority in a locality have petitioned and obtained a Regulation fixing their hours of closing.

All shops, other than Fourth Schedule shops have definite hours of closing. Butchers' shops, on account of the fact that they have to be open very early in the morning, are closed earlier than others—viz., on ordinary week days at five p.m., on Fridays at eight p.m., and on Saturdays at one p.m. With a few exceptions, all other shops close on week days at six p.m., on Fridays at ten p.m., and on Saturdays at one p.m. The closing at one o'clock on Saturday, or, as it is usually expressed, the Saturday half-holiday, is now in force throughout the State. This provision will be a great boon to employes in shops, as well as to a large number of hard-worked shopkeepers. When in 1909 it was proposed to make it compulsory in Melbourne and suburbs, an outcry was raised in many quarters, and the belief was pretty generally held that many small traders would be ruined. The Saturday half-holiday, however, became law, and it was remarkable how quickly the whole community accommodated itself to the change. The housewife, who, it was believed, could not do without shopping late on Saturday to carry her over till Monday, found that Friday night, the night on which the shops remained open late, suited her purpose just as well as Saturday, and, before many months had passed, the same housewife, having found the benefits of a Saturday half-holiday, had no desire to revert to the old order of things. The idea of going back at the present moment would be scouted by all classes. Some of the larger traders say that they do better with the late closing night on Friday than when it was on Saturday, and they account for this by the belief that, under the new order of things, more money is spent in goods and less in alcohol.

The shops' provisions are carried out by the officers of the Factories Department, whose duties are to prosecute when this step is necessary to enforce the law, and to look after the welfare of employes generally as regards the provision of seats, fire escapes, &c. The Amending Act contains some provisions which will carry these duties further, and enable the officers of the Factories Department to insure a fixed cubical air space and many other sanitary provisions for the benefit of workers in shops.

APPRENTICES.

The wages of apprentices in Victoria are fixed by the Wages Boards in each trade. These Boards also prescribe the form of indenture and the term of apprenticeship. Once a boy is indentured, it becomes the



Rubber Manufacture.

duty of the Factories Department, on the one hand, to see that he is taught his trade properly, and on the other to enforce his proper attendance at his work, and generally to protect both parties and see that they carry out the agreement.

A Conference on Apprenticeship sat in 1907, and recommended the adoption of a scheme similar to that in operation in Switzerland, Germany, and Austria, which would be under the supervision of a Commission chosen from employers and employes generally, and would include provision for technical training and supervision, with a view to producing thoroughly competent trained workmen in every trade. A Bill to carry this into effect was introduced into Parliament in 1912, but was objected to by the employers as casting too heavy a burden on them, and was consequently abandoned. During July and August of 1913 another Conference on the subject was held between employers and employes. That Conference has made a report to the Cabinet, and it is possible that early action will be taken to introduce legislation in order to carry its recommendations into effect. The recommendations are very much on the same lines as those of the previous Conference.

INCREASE OF WAGES DUE TO WAGES BOARDS.

The following instances show how Boards have increased wages. The comparison is between the rate of wages before the Board was appointed and that in 1913:—

Trade or Calling.	Number of Employes.	Average Weekly Increase in Wages for each Employé.	Average Annual Increase in Wages for each Employé.	Aggregate Annual Increase in Wages Divided among all Employes
		\$	\$	\$
Coopers	125	6·26	325·52	40,690·00
Bread	763	5·30	275·60	210,282·80
Brushes	132	4·74	246·48	32,535·36
Wickerworkers	192	4·46	231·92	44,528·64
Stonecutters	315	4·42	229·84	72,399·60
Woodworkers	3,033	3·98	206·96	627,709·28
Plate Glass	250	3·82	198·64	49,660·00
Glassworkers	612	3·78	196·56	120,294·72
Furniture (European)	1,398	3·58	186·16	260,251·68
Engravers	157	3·54	184·08	28,990·56
Breadcarters	579	3·44	178·88	103,751·52
Boot Trade	6,043	3·40	176·80	1,068,402·40
Tanning	982	3·40	176·80	173,617·60
Bedsteads	329	3·34	173·68	57,140·72
Malting	131	3·30	171·60	22,479·60
Millet Broom	52	3·24	168·48	8,760·96
Jewellery	604	3·20	166·40	100,505·60
Electroplaters	162	3·18	165·36	26,788·32
Furniture (Wood Mantels)	175	3·18	165·36	28,938·00
Starch	154	3·18	165·36	25,465·44



Straw Hat-making in Victoria.



The Manufacture of Dress Goods and Blouses in Victoria.

WAGES IN DIFFERENT INDUSTRIES.

The following table shows the average weekly rate of wages paid to adult workers in 1913 in trades in which Special Boards have made Determinations :—

Average Weekly Wage of Persons other than Apprentices, Improvers, and Pieceworkers in 1913.

Class of Trade.	Average Weekly Wage paid to—		Class of Trade.	Average Weekly Wage paid to—	
	Males.	Females.		Males.	Females.
	\$	\$		\$	\$
Aerated Waters	11·66		Hardware	14·98	
Agricultural Implements ..	13·32		Hotel Employés	9·24	6·00
Artificial Manure	12·12				
Bedsteads, Fenders, &c. ..	13·02	6·44	Ironmoulders	14·46	
Boilermakers	14·06		Jams, Pickles, Sauces ..	12·18	5·64
Boots	13·68	6·42	Jewellery	15·72	11·18
Boot Dealers	15·04	8·56			
Brassworkers	13·88	7·44	Leather Goods	13·88	5·52
Bread	16·26		Lift Attendants	11·80	
Breadcarters	11·80		Livery Stables	11·00	
Breweries	12·64				
Brick	13·14		Malting	13·46	
Bricklayers	17·44		Marine Store	10·82	10·80
Brushes, Brooms, &c. (except Millet Brooms)	15·18	7·20	Men's Clothing	16·12	
Butchers	13·42		Millet Broom	13·78	
			Millinery		7·70
Candles	11·94	6·60	Mining Engine-drivers ..	14·74	
Cardboard Box	14·00	5·88			
Carpenters	16·58		Night-Watchmen	12·56	
Carriage	14·56	7·68			
Carters	11·54		Organs	14·80	
Chaffcutters	12·08		Ovens, Stoves, &c. ..	13·34	
Cigars	12·32	8·52			
Clothing	14·92	6·40	Painters	14·70	
Coal Miners	15·04		Paper Bags	14·72	5·24
Commercial Clerks	15·00	8·76	Pastrycooks	13·42	12·00
Confectionery	13·82	4·50	Picture Framers	12·72	5·56
Coopers	16·24		Plasterers	17·80	
Cordage	11·54	5·48	Plate Glass	13·66	
Country Shop Assistants ..	12·64	8·54	Plumbers	16·14	
Cycles	13·08		Polish	13·20	6·14
			Pottery	12·20	5·60
Drapers	15·74	9·00	Printing (Metropolitan District)	15·66	5·60
Dresses, Mantles, &c. ..	16·32	6·50			
			Printing (outside Metropolitan District)	12·46	
Electrical Installation ..	15·66		Printing (Bookbinding) ..	15·44	5·56
Electro-platers	14·02				
Engineers	14·82		Quarry	13·56	
Engravers	16·58				
			Refrigerating and Ice ..	15·74	
Factory Engine-drivers ..	14·46		Rubber Goods	13·40	6·52
Farriers	12·90				
Fellmongers	11·46		Saddlery	13·68	6·12
Flour	12·80		Shirt	16·44	6·30
Fuel and Fodder	11·68		Soap and Soda	12·78	6·76
Furniture—			Starch	12·42	7·48
European	14·90	7·32	Stone Cutting	14·34	
Chinese	15·48				
Bedding	14·64	7·04	Tanning	12·70	
Carpets	15·28	7·24	Tea Packing	11·72	5·92
Wire Mattress	14·00	8·16	Tinsmiths	13·38	
Wood Mantelpieces and Overmantels	14·72				
Dealers	15·42		Underclothing	10·92	5·78
			Undertakers	13·08	
Gardeners	11·22				
Glass Workers	12·36		Watchmakers	17·86	
Gold Miners	12·10		Waterproof Clothing ..	14·54	6·46
Grocers	12·74		Wholesale Grocers	13·12	
Sundries	12·06	5·90	Wicker	13·88	12·00
			Wireworkers	13·44	
Hairdressers	13·58	9·76	Woodworkers	14·62	
Ham and Bacon	13·40		Woollen Trade	11·56	5·28